

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

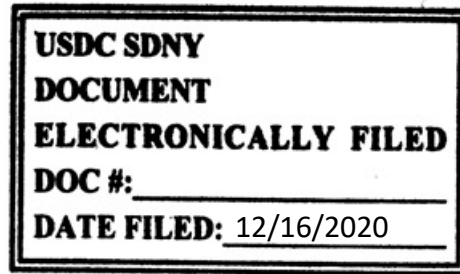
Robert Derek Lurch, Jr.,

Plaintiff,

-against-

City of New York, et al,

Defendants.



1:19-cv-11253 (AJN) (KHP)

ORDER

Katharine H. Parker, United States Magistrate Judge:

Having evaluated the parties' submissions concerning various issues in the above-captioned case, it is hereby ORDERED that:

Request for Pro Bono Counsel

The factors to be considered in ruling on an indigent litigant's request for counsel include the merits of the case, Plaintiff's efforts to obtain a lawyer, and Plaintiff's ability to gather the facts and present the case if unassisted by counsel. *See Cooper v. A. Sargenti Co.*, 877 F.2d 170, 172 (2d Cir. 1989); *Hodge v. Police Officers*, 802 F.2d 58, 60-62 (2d Cir. 1986). Of these, the merits are "[t]he factor which command[s] the most attention." *Cooper*, 877 F.2d at 172. Because it is too early in the proceedings for the Court to assess the merits of the action, Plaintiff's motion for counsel (ECF No. 63) is denied without prejudice to renewal at a later date.

Discovery

Further, there will be a discovery conference in this case on **February 25, 2021 at 2:00 p.m.** to discuss Defendants' letter motion to compel Plaintiff to respond to discovery requests. (See ECF No. 67.) The parties are directed to call the Court's conference line at the scheduled time. **Please dial (866) 434-5269, access code: 4858267.** In order to allow sufficient time to

address these outstanding discovery disputes, the Court will extend the fact discovery deadline in this case for 90 days.

The Court respectfully requests that the Clerk of Court send a copy of this Order to the pro se Plaintiff.

SO ORDERED.

Dated: December 16, 2020
New York, New York



Katharine H. Parker
United States Magistrate Judge